IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CONTEMPT PETITION NO.322 OF 2005

Ashoka Infra Pvt. Ltd. ..Petitioner.
Vs.
The State of Maharashtra & Ors. ..Respondents.

...

Mr. R.S. Apte with Mr. A.A. Garge for the Petitioner.
Mr. P.K. Dhakephalkar for Respondent No.1.

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CORAM : DR.D.Y.CHANDRACHUD, J.

14th November, 2005.

P.C. :

Mentioned. Not on Board.

A Division Bench of this Court passed an order on 3rd October, 2005 in terms of the Minutes that were agreed upon between the Petitioner and the Respondent State. The Minutes inter alia provide for the grant of police protection to the Petitioner in order to enable the Petitioner to collect the toll. However, the order of the Court provided that the Minutes of the order will be subject to any order that would be passed by the Respondent State in terms of clause 3.7.11, after hearing the Petitioner. Counsel appearing for the Respondent State has placed on the record an

order dated 31st October, 2005 by which the period of concession has been fixed until 19th August, 2005 in view of the modification in the bank lending rates. The Petitioner has its remedies in law, should it be aggrieved by the order dated 31st October, 2005. At this stage, since an order has been passed reducing the period of concession, the exercise of the contempt jurisdiction is not warranted. The Contempt Petition is accordingly dismissed.